



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2011 Biennium

<b>Bill #</b>	SB0221	<b>Title:</b>	Revise laws related to animal cruelty re: animal hoarding
<b>Primary Sponsor:</b>	Tropila, Mitch	<b>Status:</b>	As Amended in Senate Committee

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact     | <input type="checkbox"/> Needs to be included in HB 2  | <input checked="" type="checkbox"/> Technical Concerns   |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

### FISCAL SUMMARY

	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
<b>Expenditures:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

#### Description of fiscal impact:

This bill has no fiscal impact to the State of Montana.

### FISCAL ANALYSIS

#### Assumptions:

##### **Judicial Branch**

1. This bill makes companion animal hoarding an offense of cruelty to animals under 45-8-211, MCA.
2. The bill lists several elements that must all exist in order for companion animal hoarding to occur. One of the elements is a violation of current law found at 45-8-211 (1) (c), MCA, which defines animal cruelty as failing to provide for an animal's certain needs.
3. By definition, the crime of companion animal hoarding can only exist if the person commits animal cruelty under current law
4. This bill requires a court to order a person convicted of companion animal hoarding to undergo a psychological or psychiatric examination and appropriate treatment.

5. For purposes of this fiscal note, it is assumed that courts will order the convicted person to pay the costs of the psychological or psychiatric examination or treatment and that the Judicial Branch is not statutorily obligated to pay these costs.
6. This bill will have no fiscal impact to the Judicial Branch.

**Department of Corrections**

7. Because companion animal hording crimes are currently prosecuted under aggravated animal cruelty there will be no additional impact to the State of Montana.

**Technical Notes:**

1. This bill is unclear as to who is responsible for payment of the psychological or psychiatric examination and appropriate treatment required in 45-8-211 (3) (d), MCA.

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*Sponsor's Initials*

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*Date*

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*Budget Director's Initials*

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*Date*